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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/577,532	04/28/2006	Sung-Ik Park	CU-4801 WWP	9836
26530 7590 03/25/2009 LADAS & PARRY LLP 224 SOUTH MICHIGAN AVENUE SUITE 1600 CHICAGO, IL 60604				
EXAMINER KIM, KEVIN				
ART UNIT 2611		PAPER NUMBER		
MAIL DATE 03/25/2009		DELIVERY MODE PAPER		

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

10/577,532

Applicant(s)

PARK ET AL.

Examiner

Kevin Y. Kim

Art Unit

2611

Period for Reply -- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 28 April 2006.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-20 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-7, 9-11, 13, 14, 16-18, 20 is/are rejected.
- 7) ☒ Claim(s) 8, 12, 15 and 19 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 28 April 2006 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO/SB08)
- Paper No(s)/Mail Date 7/3/06, 11/3/08, 3/3/09
- 4) ☐ Interview Summary (PTO-413)
- Paper No(s)/Mail Date _____
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: _____

DETAILED ACTION

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(a) the invention was known or used by others in this country, or patented or described in a printed publication in this or a foreign country, before the invention thereof by the applicant for a patent.

2. Claims 1-6,10,17 are rejected under 35 U.S.C. 102(a) as being anticipated by admitted prior art.

Claims 1,4,.

The admitted prior art, shown in Fig.6, discloses an on-channel repeater, and method thereof, which receives the signal on one channel and distributes the signal on the same channel, comprising:

a receiving means (602) for receiving a Radio Frequency (RF) broadcast signal transmitted from outside;

a demodulating means (603,604) for demodulating the RF signal received in the receiving means into a baseband signal;

an equalizing means (605) for equalizing the baseband signal obtained from the demodulation in the demodulating means to thereby obtain a baseband output signal;

a modulating means (607,608) for modulating the baseband output signal from the equalizing means into an RF signal; and

a transmitting means (609) for transmitting the RF signal obtained from the modulation in modulating means.

Claims 2,5,10,17

Fig.6 further shows that the demodulating means includes: an intermediate frequency (IF) down-converting unit (603) for down-converting the received RF signal into an IF signal; and a demodulating unit (604) for demodulating the IF signal obtained from the frequency down-conversion into a baseband signal.

Claims 3,6,10,17,.

Fig.6 further shows that the modulating means includes: a modulating unit (607) for modulating the baseband output signal outputted from the equalizing means into an IF signal; and an RF up-converting unit (608) for up-converting the IF signal into an RF signal.

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later invention was made in order for the examiner to consider the applicability of 35 U.S.C. 103(e) and potential 35 U.S.C. 102(e), (f) or (g) prior art under 35 U.S.C. 103(a).

5. Claims 7,9,11,13,14,16,18 and 20 are rejected under 35 U.S.C. 103(a) as being unpatentable over the admitted prior art in view of Eberlein et al (US 6,973,121).

Claims 7,11,14,18.

The admitted prior art discloses all the subject matter claimed but for means for providing a reference frequency signal to the demodulating means and the modulating means.

Eberlein et al teaches a repeater where a local oscillating means (34) is used for providing a reference frequency signal to the demodulating means and the modulating means. See Fig. 1. Thus, it would have been obvious to one skilled in the art at the time the invention was made to provide a common local oscillator to the the demodulating means and the modulating means of the prior art, as taught by Eberlein et al.

Claims 9,13,16 and 20.

Everlein et al further teach synchronizing the repeater to a common external reference such GPS. See col.2:63-67. Thus, it would have been obvious to one skilled in the art at the time the invention was made to provide a GPS receiving means to the repeater of the prior art for the purpose of synchronizing the repeater to a very precise external frequency reference source.

Allowable Subject Matter

6. Claims 8,12,15,19 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Kevin Y. Kim whose telephone number is 571-272-3039. The examiner can normally be reached on 8AM --5PM M-F.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Shuwang Liu can be reached on 571-272-3036. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Kevin Y Kim/
Primary Examiner, Art Unit 2611